App. F. IX-4

Previous References.

Legis 2-42-1

1943-44 (Legis)

File No. Legis 4-43

Serial Nos. 1

Later References.

5-1

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part B for September

SUBJECT

The Essential Services Maintenance (Amendment) Act, 1943

To

The Government Mysore Gazette

No. RL 154 - Legis 4-43-1 dated 7th Aug 1943

Orders the publication of the Act as Act

No. XXV of 1943

T. Venkatanarayanappa

20-10-1943

'38'
IN

General and Revenue Secretariat

The Essential Services (Maintenance) Amendment Ordinance 1942.

File No. of 194 [App. F. III—2

OFFICE OF THE MINISTER FOR LAW
JUN 12 1942
No. 12566

Serial No.

From The Secy to Govt Home Dept Residt

F. 2-42/WD 9th June 42 inviting reference to the Essential Services (Maintenance) Amendment Ordinance 1942.

1) Perhaps the amendment may be incorporated in the Bill to be placed before the L.C. This will be sent to the Legislation Section for necessary action

RS 11/6

2) Please furnish a copy of the Act

Sd/- 11/6

3) Section (3) & (5) of the Amendment Act may be incorporated in the Bill to be introduced before the L.C. The other sections are not necessary

Sd/- 11/6

Submitting (1)

4) Sd/- 12/6

Law Secy

5) Yes, if pressed under the Rules

Sd/- 12/6

12/6

Sd/- 13/6

Secy

BKR 15.6.42

6) Under Rule 36 of the Legislative Rules, the Bill has been already published in the

CHIEF SECRETARY
12 JUN 1942
GOVT. OF MYSORE

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—28-10-41

The Essential Services (Maintenance) Ordinance

1247 Rc

File No: of 194 | General and Revenue Secretariat

Serial No.

Gazette and copies are also sent to the members. If approved, action will be taken to move the amendments to the Bill after giving the prescribed notice to the Secretary, LC.

BXR
15.6.42

Law Secy)

Law Minister) 6) [illegible]
15/6

BXR
15.6.42

Please dept. case file

7) [illegible]
15/6

[illegible]
16.6

BXR
16.6.42

(8) The Law Minister has subsequently ordered that the necessity for these amendments may be considered later. If approved these will not be included in the business for the Session.

[illegible]
18.6.42

BXR
18.6.42

SECY. LAW DEPT. 5-171 15 JUN 1942 GOVT OF MYSORE

MINISTER FOR LAW
JUN 15 1942
No. 12642.

5.28-W

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

Gen

I-2

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

MEMORANDUM No. F.2-42/W.

Dated Bangalore, the 7th August *194* 2

War

CHIEF SECRETARY. 7. AUG. 1942 GOVT. OF MYSORE.

War Ordinances - The Essential Services (Maintenance) Second Amendment Ordinance, 1942.

- - -

Attention is invited to the Essential Services (Maintenance) Second Amendment Ordinance, 1942, Ordinance No.XXXVIII of 1942, published in the Gazette of India, Extraordinary, dated the 28th July 1942.

Reply by 8/8

for SECRETARY TO THE RESIDENT.

H.L.

7.4

1) Send with the Gazette containing the Amendment a copy of the Act. Ordinance & By that, Section 9 is amended. The effect of the amendment seems to exclude the liability to be called for national service. If considered necessary, this may be

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

SRC/W

Amendment to Essential Services (maintenance) Act.

File No. 581/M of 194

General and Revenue Secretariat

Serial No.

Sent to Legis Secretariat for necessary action

Sd/-
8/8. Has the previous amending ordinance been adopted?

Sd/-
8/8

2) Legis Section for kindly noting the action taken.

Sd/-
8/8

3) The main file leading to the Essential Services Maintenance Act 1942 was sent to G.M. Branch on 27-7-42 linked with file No. 202 G.M. as it was requisitioned for reference. G.M. Branch will be requested to put up the main file. × 635 RL.

Sd/- for kindly putting up the file.

10-8-42 MNN 10/8.

Superintendent G.M. Branch) M/c

GEN. SECTT 12 AUG 1942 GEN.

for H Secretary

4) The connected file has been sent to Traffic Board Office on 27-7-42. (D. No. 204)

R. A. Sen)

Sd/- 13/8/42

Sd/- 13/8

M. D. O.

5) The Traffic Board Office is requested to kindly send us the file re: the Essential Services

The Essential Services (Maintenance) Second Amendment Ordinance, 1942

Continuation Sheet. File No. / Current No. 74/Re of Page.

Maintenance Act, 1942. (Vide para 4 supra)

W. 14-8-42 Subst. Traffic Board Office)

BVN 14/8

(6) The file has been referred to the C.R.A.'s office on 30/7/42. If approved that office may be requested to furnish the file very early

Hdo 15/8 C.R.A. Office)

18/8/42

CHIEF RATIONING AUTHORITY PRC. 105/war 21/8/42 IN MYSORE, BANGALORE

(7) The file re. the Essential Services (Maintenance) Act, 1942 which was received with Unofficial File No.271 dated 27-7-1942 from the Secretary, Mysore Traffic Board, was returned with that file to the Assistant Secretary, General & Miscellaneous Branch, on 20-8-1942

Secretary, Traffic Board

H.C.R.A. 21/8

Subst. (R.A) W.C.

Hdo 31/8

G.M. Branch is requested to put up the file re. the Essential Services (Maintenance) Act, 1942 (Vide para 7)

Subst. G.M. Branch)

W. 1-9-42 BVN 1/9

The file referred to above is returned herewith (Legis 2-42-1)

2/9/42 Legis. Cl. (Sec.)

2/9

Received on 4/9/42

4-9-42

Serial No. 12

The Govt. of India have amended the Essential Services (Maintenance) Ordinance by two later ordinances The first amendment Ordinance is No.XXVI of 1942 and the second one XXXVIII of 1942.

Clauses (3) & (5) of the first amendment Ordinance have to be adopted here also. Clause (3) contains 2 explanations - (1) that the fact that a person apprehends that by continuing in his employment he will be exposed to danger is not a reasonable excuse for abandoning the employment or absenting himself from work; and

(2) that even a person under an express or implied term of his contract which provides for termination of his employment on giving notice to his employer cannot terminate his employment without the previous consent of his employer.

Clause (5) makes an offence under the Ordinance "Cognizable".

13 The second amendment Ordinance amends Section 9 of the original Ordinance so as to provide that the provisions of the Ordinance, or any declaration or order thereunder shall not have the effect of ~~multiplying~~ multiplying the effect of any provision of law imposing on any person engaged in an employment to which the Ordinance applies, a liability to be called up for national service or to undertake employment in the national service. The object of this amendment is obvious. This amendment may also perhaps be adopted.

CHIEF SECRETARY. 11 SEP 1942 ORE.

for

14 please put up in a tabular form the present rule & the amendments

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Amdt. to Essential Services (Emergency Powers) Act

File No. of 194 | General and Revenue Secretariat.

Serial No. 1244 / 19.9.42

15) Send me a statement showing the corresponding sections of the Act as it now exists & as amended.

SG 15/9. Chief Cl

Law Off.

16) This may be sent to Legislative Secretariat for necessary action.

SG 21/9. Asstt Sec (Legislative)

OFFICE OF THE SECRETARY
RECEIVED
21 SEP 1942
LEGISLATIVE

17) Please put up a draft Bill in Proper form and a St. of Principles immediately.

21.9.42

18) Draft statement of Principles and draft Bill are put up for Consideration. If it is intended to proceed with this Bill before the next ~~elected~~ urgent action has to be taken as re

S2 6/IN. 74/RL

Serial No.

DEWAN
24 SEP
NO 2479

last date for despatch of the agenda to the members is the 3rd october within which time His Highness' previous assent has to be obtained the Bill Printed and translated & Printed in Kannada

Dom 21.9.42

Secy RT-Se)

19) for perusal before passing it on to the War Secretariat for further action

BKR 21.9.42

Law Secy)

Ans 21-9-42

BKR 22.9.42

Asst Secy War Secretariat WC) 22/9/42

Send with a D.O.S.C. (This is a confidential matter)

Sec 22/9/42.

This may be disposed of in circulation, if asked

Ans 24

Min 50

Sec)

24

Dewan)

20) Ans

26/9/42

21) Circulate

NOTE—Contn. Sheet.

Cir Memo Sent

25/9/42

Sgnd

24

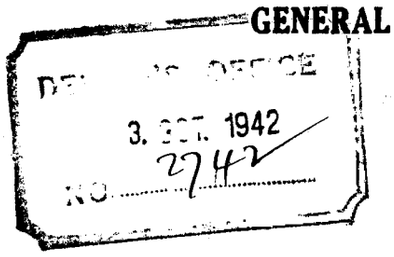
WD 04155—GPB—55,000—23-10-41

CHIEF SECRETARIAT 24 SEP 1942 GOVT. OF MYSORE.

For Disposal by Circulatio..

No. C. 361

...../...1942.



GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Bill to amend the Essential Services (Maintenance) Act 1942.

Circulated to the Council of Ministers.

By Order.

28th September 1942.

Chief Secretary to Government.

---

22) 2nd Min. 28.9.42 **Minister for Finance and Revenue.** 24.)

23) 720 28.9.42 **Minister for Law.**

1666 29.9 **Minister for Education.** 24) 29.9.42

2632 29/9 **Minister for Local Self-Government and Public Health.** 26) 30.9.42

2862

WD 06346—GPB—500—24-3-42

26) D. D. M. Swhd.

S. N. put up.

DEWAN)

The Essential Services (maintenance) amt Bill.

Continuation Sheet. File No. / Current No. 74/1 Page.

The Bill which was included in the Agenda for the RA dated 2.6.43 was not taken up.

This Bill will be published under rule 36 of the Legislative Rules in which case it will not be necessary to move for leave to introduce in the L.C. Permission of the Dewan is solicited to do so.

The Statement of principles will be adopted as the Statement of Objects and Reasons

Yr orders

Secy RA Lc

3.6.43

3/6/43

3/6

BXR 3-6-43

Law Secy)

May be published

Dewan 5/6

BXR 4.6.43

Cas 7-6-43

To the compiler of the Gazette

No RL 11.07 dated 7th June 1943

SECY LAW DEPT. 14115 3/6/43 GOVT. OF INDIA

The Essential Services (Maintenance) Amendment Bill

74/M.

Continuation Sheet. | File No. / Current No. | of | Page.

Directs publication of the Bill in part IV of the Gazette

Orders have been passed in the file bearing No. 688 RL for including the following motions for the L.C. in the name of the Minister for Law:

(1) The Minister for Law to introduce the Essential Services (Maintenance) (Amendment) Bill

(2) Also to move that the Bill be taken into consideration by the Council

(3) Also to move that the Bill be passed

20/7/43
Sub

The Bill was introduced in the Legislative Council at its recent Session and passed by it on 5th July 1943

A copy of the Bill as passed by the Council and signed by the President, Legislative Council, is put up herewith — Flag B

A.S.F.N. is also put up for approval

14/7/43

F.N. is submitted for approval

(Secy to Rev. & Law) 14.7.43

BKR 14.7.43

Law Secy)

16.7

SECY. LAW DEPT. 6/3 1943 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR REVENUE & LAW 15 JULY 1943 No. 1492

14.7.43

WD 01809—GPB—60,000—26-1-43

Signed Final note in duplicate put up. BKR 14.7.43

16/7.

re Essential Services (Maintenance) (Amendment) Ordinance 1670/43.
Act 1943

Continuation Sheet. 52. | RL. File No. Current No. of Page.

The gracious assent of His Highness the Maharaja was accorded on the 26th day of July 1943 to promulgate the Bill into law.

A draft G.O. directing publication of the Act as Act No XXV of 1943 is submitted for approval

SECY. LAW DEPT. 5/8/43 GOVT OF MYSORE

2V 5/8/43

BDM 5/8.

BKR 5-8-43

Addl Secy 5/8/43

Dy Secy 5-8-43

To the Compiler, Mysore Gazette

No RL 154- Legis 4-43-1 dated 7th Aug 1943 directs the publication of the Act in the Gazette

The Act has been published in part IV of the Mysore Gazette dated 12th Aug 1943

If approved, the file will be sent to War Section for note and return with reference to

2V 28/8/43

2.8.43

OFFICE OF THE SECRETARY Mr 2.V. 31 AUG. 1943 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL.

(War Section) (Protection Branch)

BDM 30/8.

Secy. for favourable. 2 Bills which can be passed on 1st Sept 43.

30/8/43.

Pro Secy

31/8

Noted and returned

31/8 (L.C. Office)

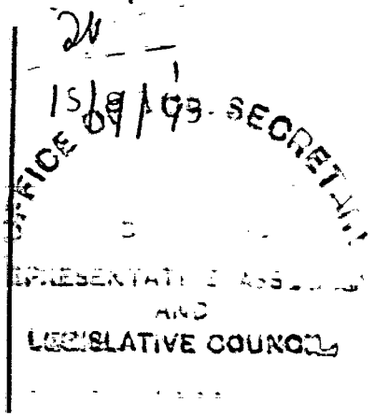
31/8/43

31-8-43

Re Essential Services Maintenance (Amendment) Act 1943

Continuation Sheet. File No. / Current No. of Page. A / 11

A printed copy of the Act is put up herewith. If approved, the file will be recorded



REGISTERED No. L. 2131

The Gazette of India

EXTRAORDINARY

PUBLISHED BY AUTHORITY

NEW DELHI, THURSDAY, MAY 28, 1942

GOVERNMENT OF INDIA

LEGISLATIVE DEPARTMENT

New Delhi, the 28th May, 1942

ORDINANCE No. XXVI OF 1942

AN

ORDINANCE

to amend the Essential Services (Maintenance) Ordinance, 1941.

WHEREAS an emergency has arisen which makes it necessary to amend the Essential Services (Maintenance) Ordinance, 1941, for the purposes hereinafter appearing;

XI of 1941.

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance :—

26 Geo. 5, c. 2.

1. (*1*) This Ordinance may be called the Essential Services (Maintenance) Amendment Ordinance, 1942. Short title and commencement.

(*2*) It shall come into force at once.

2. In sub-section (*1*) of section 4 of the Essential Services (Maintenance) Ordinance, 1941 (hereinafter referred to as the said Ordinance), before the words "In respect of any employment or class of employment" the following words shall be inserted, namely :— Amendment of section 4, Ord. XI of 1941.

XI of 1941.

> "In respect of any employment under the Crown, the Government under which the person or persons concerned are employed or an officer authorized in this behalf by that Government, and".

[*Price 1 anna*]

Amendment of section 5, Ord. XI of 1941.

3. To section 5 of the said Ordinance the following shall be added, namely :—

" *Explanation 1.*—The fact that a person apprehends that by continuing in his employment he will be exposed to increased physical danger is not a reasonable excuse within the meaning of clause (*b*).

Explanation 2.—A person abandons his employment within the meaning of clause (*b*) who, notwithstanding that it is an express or implied term of his contract of employment that he may terminate his employment on giving notice to his employer of his intention to do so, so terminates his employment without the previous consent of his employer."

Amendment of section 6, Ord. XI of 1941.

4. In sub-section (*1*) of section 6 of the said Ordinance the words " with the previous sanction of the Central Government " shall be omitted.

Amendment of section 7, Ord. XI of 1941.

5. To section 7 of the said Ordinance the following sub-section shall be added, namely :—

(*4*) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence under this Ordinance shall be cognizable." V of 1898.

LINLITHGOW,
Viceroy and Governor General.

G. H. SPENCE,
Secy. to the Govt. of India.

PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI.
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI.

GOVERNMENT OF INDIA

LEGISLATIVE DEPARTMENT

New Delhi, the 28th July, 1942

ORDINANCE No. XXXVII OF 1942.

AN

ORDINANCE

to amend the Women's Auxiliary Corps Ordinance, 1942.

WHEREAS an emergency has arisen which makes it necessary to amend the Women's Auxiliary Corps Ordinance, 1942, for the purposes hereinafter appearing ;

XIII of 1942.

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance :—

26 Geo. 5, c. 2.

1. (*1*) This Ordinance may be called the Women's Auxiliary Corps (Amendment) Ordinance, 1942. Short title and commencement.

(*2*) It shall come into force at once.

2. In the long title and preamble of the Women's Auxiliary Corps Ordinance, 1942 (hereinafter referred to as the said Ordinance), for the words " part of His Majesty's Military Forces " the words " a part of the Armed Forces of the Crown " shall be substituted. Amendment of long title and preamble, Ord. XIII of 1942.

3. In sub-section (*2*) of section 1 of the said Ordinance, the words " extends to the whole of British India and " shall be omitted. Amendment of section 1, Ord. XIII of 1942.

4. In section 3 of the said Ordinance, for the words " for service in India to be designated the Women's Auxiliary Corps, India " the brackets and words " (which shall be designated the Women's Auxiliary Corps, India) for service in India as a part of the Armed Forces of the Crown " shall be substituted. Amendment of section 3, Ord. XIII of 1942.

5. In sub-section (*2*) of section 10 of the said Ordinance, clause (*b*) shall be omitted. Amendment of section 10, Ord. XIII of 1942.

6. In section 11 of the said Ordinance, after the word " equipment," the word " pay," shall be inserted. Amendment of section 11, Ord. XIII of 1942.

LINLITHGOW,
Viceroy and Governor General.

G. H. SPENCE,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA

LEGISLATIVE DEPARTMENT

New Delhi, the 28th July, 1942

ORDINANCE No. XXXVIII OF 1942

AN

ORDINANCE

further to amend the Essential Services (Maintenance) Ordinance, 1941.

WHEREAS an emergency has arisen which makes it necessary further to amend the Essential Services (Maintenance) Ordinance, 1941, for the purpose hereinafter appearing ;

XI of 1941.

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance :—

26 Geo. 5, c. 2.

1. (*1*) This Ordinance may be called the Essential Services (Maintenance) Second Amendment Ordinance, 1942. Short title and commencement.

(*2*) It shall come into force at once.

Substitution of new section for section 9 in Ord. IX of 1941.

2. For section 9 of the Essential Services (Maintenance) Ordinance, 1941, the following section shall be substituted, namely :—

Saving of effect of laws imposing liability to national service.

"9. Nothing contained in this Ordinance or in any declaration or order made thereunder shall have effect in derogation of any provision of law for the time being in force imposing upon a person engaged in an employment or class of employment to which this Ordinance applies any liability to be called up for national service or to undertake employment in the national service."

LINLITHGOW,
Viceroy and Governor General.

G. H. SPENCE,
Secy. to the Govt. of India.

PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI.
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI.

REGISTERED No. L. 8131

- 4 AUG. 1942

The Gazette of India

EXTRAORDINARY

PUBLISHED BY AUTHORITY

NEW DELHI, TUESDAY, JULY 28, 1942

GOVERNMENT OF INDIA

LEGISLATIVE DEPARTMENT

New Delhi, the 28th July, 1942

ORDINANCE No. XXXVI OF 1942.

AN

ORDINANCE

further to amend the War Risks (Goods) Insurance Ordinance, 1940.

WHEREAS an emergency has arisen which makes it necessary further to amend the War Risks (Goods) Insurance Ordinance, 1940, for the purposes hereinafter appearing ;

IX of 1940.

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance :—

26 Geo. 5, c. 2.

1. (*1*) This Ordinance may be called the War Risks (Goods) Insurance (Third Amendment) Ordinance, 1942. Short title and commencement.

(*2*) It shall come into force at once.

2. In sub-section (*1*) of section 3 of the War Risks (Goods) Insurance Ordinance, 1940 (hereinafter referred to as the said Ordinance), in clauses (*a*) and (*b*), after the word "Muttanchari" the following words shall be inserted, namely :— Amendment of section 3, Ord. IX of 1940.

"or, when consigned from one place in British India to another place in British India and in transit situated in India"

3. In sub-section (*1*) of section 9 of the said Ordinance, after the word, figure and letter "section 12A" the following shall be inserted, namely :— Amendment of section 9, Ord. IX of 1940.

"or under any provision of law corresponding thereto in force in an Indian State, or in the French Establishments in India, or in the territories (hereinafter referred to as Administered Areas) set out in the Schedule,"

[*Price 1 anna.*]

Insertion of new section 15 in Ord. IX of 1940.

4. After section 14 of the said Ordinance the following section shall be added, namely :—

Application of scheme to goods in certain territories outside British India.

"15. (*1*) If the Central Government is satisfied that by the law of an Indian State or of the French Establishments in India or of the Administered Areas provision has been made substantially corresponding to the provision made by this Ordinance requiring persons carrying on business as sellers of goods in such State, Establishments or Areas, as the case may be, to take out policies of insurance against war risks, the Central Government may, by notification in the official Gazette, declare that this section shall apply to the territory of that State, or of those Establishments or comprising the Administered Areas.

(*2*) On the application of this section to any such territory—

(*a*) this Ordinance shall have effect as if in section 3 and in sub-sections (*1*) and (*1A*) of section 5 the references to British India included a reference to all territories to which this section is applied, and as if sub-section (*1*) of section 8 prohibited any person, except as a person authorised by the Central Government as their agent to issue policies in pursuance of the War Risks (Goods) Insurance Scheme, from carrying on after the date of the notification by which this section is applied to any such territory the business of insuring persons in such territory against war risks for which insurance cover is provided under the War Risks (Goods) Insurance Scheme ; and

(*b*) in any policy of insurance issued under the War Risks (Goods) Insurance Scheme references, whether express or implied, to British India shall be deemed to include a reference to all territories to which this section is applied "

Addition of Schedule to Ord. IX of 1940.

5. To the said Ordinance the following Schedule shall be added, namely :—

"THE SCHEDULE.

[*See* section 9 (*1*).]

1. The Cantonment of Baroda.

2. The Administered Areas in the Western India States Agency specified in the Western India States Administered Areas (Application of Laws) Order, 1937.

3. The Administered Areas in the Central India Agency specified in the Central India Administered Areas (Application of Laws) Order, 1937.

4. The Gwalior Residency Area.

5. The District of Abu.

6. The Administered Areas in the Hyderabad State specified in the Hyderabad Administered Areas (Application of Laws) Order, 1937.

7. The Civil and Military Station of Bangalore.

8. The Kolhapur Residency Area and the Wadi Jaghir.

9. The railway lands in the Western India States Agency specified in the notifications of the Political Department Nos. 189-I. B. and 190-I. B., dated the 8th September 1937.

10. The Rajputana and Central India railway lands specified in the Rajputana and Central India Railway Lands (Application of Laws) Order, 1937.

11. The Punjab States railway lands specified in the Punjab States Railway Lands (Application of Laws) Order, 1939.

12. The Thana Circles in the Rewa Kantha Agency in the Gujarat States Agency and the Dangs.

13. The British Reserve in Manipur"

LINLITHGOW,
Viceroy and Governor General.

G. H. SPENCE,
Secy. to the Govt. of India.

the life of the community, may, by notification in the official Gazette, declare to be an employment or class of employment to which this Act applies.

Power to order persons engaged in certain employments to remain in specified areas.

4. (1) In respect of any employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies, the Government making the declaration, or an officer authorised in this behalf by that Government may, by general or special order, direct that any person or persons engaged in such employment shall not depart out of such area or areas as may be specified in such order.

(2) An order made under sub-section (1) shall be published in such manner as the Government or officer making the order considers best calculated to bring it to the notice of the persons affected by the order.

Offences.

5. Any person engaged in any employment or class of employment to which this Act applies who—

(*a*) disobeys any lawful order given to him in the course of such employment, or

(*b*) without reasonable excuse abandons such employment or absents himself from work, or

(*c*) departs from any area specified in an order under sub-section (1) of section 4 without the consent of the authority making that order,

and any employer of a person engaged in an employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies, who without reasonable cause—

(i) discontinues the employment of such person, or

(ii) by closing an establishment in which such person is engaged, causes the discontinuance of his employment, is guilty of an offence under this Act.

Regulation of wages and conditions of service.

6. (1) The Government may make rules regulating or empowering a specified authority to regulate the wages and other conditions of service of persons or of any class of persons engaged in any employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies.

(2) When any such rules have been made or when any directions regulating wages or conditions of service have been given by an authority empowered by such rules

NOTIFICATION.

Order No. Rl. 96—Legis. 2-42-1, dated Bangalore, the 22nd July 1942.

Ordered that the accompanying Essential Services (Maintenance) Act. 1942, which received the assent of His Highness the Maharaja, on the 7th day of July 1942, be published as Act No. XXIII of 1942, in the *Mysore Gazette*, for general information.

C. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

ACT No. XXIII OF 1942.

ESSENTIAL SERVICES (MAINTENANCE) ACT, 1942.

(*Received the assent of His Highness the Maharaja on the seventh day of July 1942.*)

Whereas it is expedient to make provision for the maintenance of certain essential services; It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Essential Services (Maintenance) Act, 1942.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Interpretation.

2. In this Act unless there is anything repugnant in the subject or context, "employment" includes employment of any nature and whether paid or unpaid.

Employment to which this Ordinance applies.

3. This Act shall apply to all employment under the Government and to any employment or class of employment which the Government, being of opinion that such employment or class of employment is essential for securing the defence of India, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies or services necessary to

to give them, any person failing to comply therewith is guilty of an offence under this Act.

Penalties and procedure.

7. (1) Any person found guilty of an offence under this Act shall be punishable with imprisonment for a term which may extend to one year and shall also be liable to fine.

(2) Where the person accused of an offence under this Act is a company or other body corporate, every director, manager, secretary or other officer thereof shall, unless he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of the offence, be liable to the punishment provided for the offence.

(3) No Court shall take cognizance of any offence under this Act, except upon complaint in writing made by the Government or by a person authorised in this behalf by the Government.

Bar of legal proceedings.

8. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Effect of orders, rules, etc., made under this Act.

9. Any declaration, order, rule or regulation made and any direction given under this Act shall have effect notwithstanding anything inconsistent therewith contained in any Act, Regulation, or Enactment.

Repeal and savings.

10. The Essential Services (Maintenance) (Emergency) Act, 1942 (XXVI of 1942), is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been made, done or taken, in exercise of powers conferred by or under this Act, as if this Act had commenced on the 20th day of February 1942.

N. MADHAVA RAU,
Dewan.

Price: Re. 0-0-6.

Printed by the Superintendent at the Government Press, Bangalore.

A BILL TO AMEND THE ESSENTIAL SERVICES (MAINTENANCE) AMENDMENT ACT, 1942.

Existing Section	Amendment proposed	Section as amended	Remarks
	To section 5 of the Act, the Explanations mentioned in Col. 3 shall be added.	Explanation 1.--The fact that a person apprehends that by continuing in his employment he will be exposed to increased physical danger is not a reasonable excused within the meaning of clause (b). Explanation 2.--A person abandons his employment within the meaning of clause (b) who, notwithstanding that it is an express or implied term of his contract of employment that he may terminate his employment on giving notice to his employer of his intention to do so, so terminates his employment without the previous consent of his employer.	
	To section 7 of the Act, the sub-section mentioned in Col. 3 shall be added.	7(4). Notwithstanding anything contained in the Code of Criminal Procedure, 1904, an offence under this Act shall be cognizable.	
	For section 9 of the Act, a new section as in Col. 3 shall be substituted.	9. Nothing contained in this Act or in any declaration or order made thereunder shall have effect in derogation of any provision of law for the time being in force imposing upon a person engaged in an employment or class of employment to which this Act applies any liability to be called up for national service or to undertake employment in the national service.	

NOTIFICATION.

Order No. Rl. 96—*Legis.* 2-42-1, *dated Bangalore, the* 22*nd July* 1942.

Ordered that the accompanying Essential Services (Maintenance) Act, 1942, which received the assent of His Highness the Maharaja, on the 7th day of July 1942, be published as Act No. XXIII of 1942, in the *Mysore Gazette*, for general information.

C. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

ACT No. XXIII OF 1942.

ESSENTIAL SERVICES (MAINTENANCE) ACT, 1942.

(Received the assent of His Highness the Maharaja on the seventh day of July 1942.)

Whereas it is expedient to make provision for the maintenance of certain essential services; It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Essential Services (Maintenance) Act, 1942.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Interpretation.

2. In this Act unless there is anything repugnant in the subject or context, "employment" includes employment of any nature and whether paid or unpaid.

Employment to which this Ordinance applies.

3. This Act shall apply to all employment under the Government and to any employment or class of employment which the Government, being of opinion that such employment or class of employment is essential for securing the defence of India, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies or services necessary to

the life of the community, may, by notification in the official Gazette, declare to be an employment or class of employment to which this Act applies.

Power to order persons engaged in certain employments to remain in specified areas.

4. (1) In respect of any employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies, the Government making the declaration, or an officer authorised in this behalf by that Government may, by general or special order, direct that any person or persons engaged in such employment shall not depart out of such area or areas as may be specified in such order.

(2) An order made under sub-section (1) shall be published in such manner as the Government or officer making the order considers best calculated to bring it to the notice of the persons affected by the order.

Offences.

5. Any person engaged in any employment or class of employment to which this Act applies who—

(*a*) disobeys any lawful order given to him in the course of such employment, or

(*b*) without reasonable excuse abandons such employment or absents himself from work, or

(*c*) departs from any area specified in an order under sub-section (1) of section 4 without the consent of the authority making that order,

and any employer of a person engaged in an employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies, who without reasonable cause—

(i) discontinues the employment of such person, or

(ii) by closing an establishment in which such person is engaged, causes the discontinuance of his employment, is guilty of an offence under this Act.

Regulation of wages and conditions of service.

6. (1) The Government may make rules regulating or empowering a specified authority to regulate the wages and other conditions of service of persons or of any class of persons engaged in any employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies.

(2) When any such rules have been made or when any directions regulating wages or conditions of service have been given by an authority empowered by such rules

to give them, any person failing to comply therewith is guilty of an offence under this Act.

Penalties and procedure.

7. (1) Any person found guilty of an offence under this Act shall be punishable with imprisonment for a term which may extend to one year and shall also be liable to fine.

(2) Where the person accused of an offence under this Act is a company or other body corporate, every director, manager, secretary or other officer thereof shall, unless he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of the offence, be liable to the punishment provided for the offence.

(3) No Court shall take cognizance of any offence under this Act, except upon complaint in writing made by the Government or by a person authorised in this behalf by the Government.

Bar of legal proceedings.

8. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Effect of orders, rules, etc., made under this Act.

9. Any declaration, order, rule or regulation made and any direction given under this Act shall have effect notwithstanding anything inconsistent therewith contained in any Act, Regulation, or Enactment.

Repeal and savings.

10. The Essential Services (Maintenance) (Emergency) Act, 1942 (XXVI of 1942), is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been made, done or taken, in exercise of powers conferred by or under this Act, as if this Act had commenced on the 20th day of February 1942.

N. MADHAVA RAU,
Dewan.

Price: Re. 0-0-6.

Printed by the Superintendent at the Government Press, Bangalore.

As passed by the Legislative council on 5th July 1943

No. Rl. 1107, *dated Bangalore, the 7th June* 1943.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the Essential Services (Maintenance) (Amendment) Bill together with the Statement of Objects and Reasons.

By Order,
C. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

THE ESSENTIAL SERVICES (MAINTENANCE) AMENDMENT BILL.

WHEREAS it is expedient to amend the Essential Services (Maintenance) Act, 1942 (XXIII of 1942), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. (1) This Act may be called the Essential Services (Maintenance) Amendment Act, 194

(2) It shall come into force at once. Short title and commencement.

2. To section 5 of the Essential Services (Maintenance) Act, 1942 (hereinafter referred to as the said Act) the following shall be added, namely:— Addition of Explanations to Act XXIII of 1942.

"*Explanation* 1.—The fact that a person apprehends that by continuing in his employment he will be exposed to increased physical danger is not a reasonable excuse within the meaning of clause (b).

Explanation 2.—A person abandons his employment within the meaning of clause (b) who, notwithstanding that it is an express or implied term of his contract of employment that he may terminate his employment on giving notice to his employer of his intention to do so, so terminates his employment without the previous consent of his employer."

3. To section 7 of the said Act the following subsection shall be added, namely:— Amendment of section 7, Act XXIII of 1942.

"(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1904, an offence under this Act shall be cognizable."

Substitution of a new section for section 9, Act XXIII of 1942.

4. For section 9 of the said Act, the following section shall be substituted, namely :—

"9. Nothing contained in this Act or in any declaration or order made thereunder shall have effect in derogation of any provision of law for the time being in force imposing upon a person engaged in an employment or class of employment to which this Act applies any liability to be called up for national service or to undertake employment in the national service."

D. H. Chandrasekharaiah 12/7/43
President

Statement of Objects and Reasons. Legislative council

The Essential Services (Maintenance) Act, 1942, passed in July last year makes provision for the maintenance of certain essential services on the lines of the corresponding British India Ordinance. This Ordinance has recently been amended twice, and it is considered desirable to incorporate the amendments in the Mysore Act as being necessary for clarifying, and for taking more effective measures under the several provisions of the principal Act.

By the amendment proposed to section 5, certain expressions used therein are sought to be made clearer by the addition of the two explanations. Offences under this Act are made cognizable by another amendment now proposed. Finally, section 9 now proposed in substitution of the existing section makes it clear that the provisions of the principal Act will not apply to a person or class of persons on whom any other law imposes a liability to be called up for national service or to undertake employment in the national service and who are therefore compelled to quit their original employment.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Order No. RL 154 Legn 4-43-1 Dated, Bangalore, 5th Aug 1943

Ordered that the accompanying Essential Services (Maintenance) (Amendment) Act 1943

which received the assent of His Highness the Maharaja, on the 26th day of July 1943, be published as Act No. XXV of 1943 of 1943, in the *Mysore Gazette*, for general information.

Cer

6.8.43

General Secretary to Government.

Law Department

To

1. The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

2. Copy to the Translation Section

No. Rl. 1107, *dated Bangalore, the 7th June* 1943.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the Essential Services (Maintenance) (Amendment) Bill together with the Statement of Objects and Reasons.

By Order,

C. NARAYANASWAMY NAIDU,

Secretary to Government,
Law Department.

Act No XXIV of 1943

THE ESSENTIAL SERVICES (MAINTENANCE) (AMENDMENT) BILL.

Received the assent of His Highness the Maharaja on the 26th day of July 1943

WHEREAS it is expedient to amend the Essential Services (Maintenance) Act, 1942 (XXIII of 1942), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Essential Services (Maintenance) (Amendment) Act, 1943.

(2) It shall come into force at once.

Addition of Explanations to Act XXIII of 1942.

2. To section 5 of the Essential Services (Maintenance) Act, 1942 (hereinafter referred to as the said Act) the following shall be added, namely:—

"*Explanation* 1.—The fact that a person apprehends that by continuing in his employment he will be exposed to increased physical danger is not a reasonable excuse within the meaning of clause (b).

Explanation 2.—A person abandons his employment within the meaning of clause (b) who, notwithstanding that it is an express or implied term of his contract of employment that he may terminate his employment on giving notice to his employer of his intention to do so, so terminates his employment without the previous consent of his employer."

Amendment of section 7, Act XXIII of 1942.

3. To section 7 of the said Act the following sub-section shall be added, namely:—

"(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1904, an offence under this Act shall be cognizable."

Substitution of a new section for section 9, Act XXIII of 1942.

4. For section 9 of the said Act, the following section shall be substituted, namely :—

"9. Nothing contained in this Act or in any declaration or order made thereunder shall have effect in derogation of any provision of law for the time being in force imposing upon a person engaged in an employment or class of employment to which this Act applies any liability to be called up for national service or to undertake employment in the national service."

(Sd). N. Madhava Rau

Dewan

Statement of Objects and Reasons.

The Essential Services (Maintenance) Act, 1942, passed in July last year makes provision for the maintenance of certain essential services on the lines of the corresponding British India Ordinance. This Ordinance has recently been amended twice, and it is considered desirable to incorporate the amendments in the Mysore Act as being necessary for clarifying, and for taking more effective measures under the several provisions of the principal Act.

By the amendment proposed to section 5, certain expressions used therein are sought to be made clearer by the addition of the two explanations. Offences under this Act are made cognizable by another amendment now proposed. Finally, section 9 now proposed in substitution of the existing section makes it clear that the provisions of the principal Act will not apply to a person or class of persons on whom any other law imposes a liability to be called up for national service or to undertake employment in the national service and who are therefore compelled to quit their original employment.

NOTIFICATION.

Order No. Rl. 154—*Legis.* 4-43-1, *dated Bangalore, the 7th August* 1943.

Ordered that the accompanying Essential Services (Maintenance) (Amendment) Act, 1943, which received the assent of His Highness the Maharaja, on the 26th day of July 1943, be published as Act No. XXV of 1943, in the *Mysore Gazette*, for general information.

C. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

ACT No. XXV OF 1943.

THE ESSENTIAL SERVICES (MAINTENANCE) (AMENDMENT), ACT, 1943.

(*Received the assent of His Highness the Maharaja on the 26th day of July* 1943.)

WHEREAS it is expedient to amend the Essential Services (Maintenance) Act, 1942, (XXIII of 1942) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Essential Services (Maintenance) (Amendment) Act, 1943.

(2) It shall come into force at once.

Addition of Explanations to Act XXIII of 1942.

2. To section 5 of the Essential Services (Maintenance) Act, 1942 (hereinafter referred to as the said Act), the following shall be added, namely:—

"*Explanation* 1.—The fact that a person apprehends that by continuing in his employment he will be exposed to increased physical danger is not a reasonable excuse within the meaning of clause (b).

Explanation 2.—A person abandons his employment within the meaning of clause (b) who, notwithstanding that it is an express or implied term of his contract of employment that he may terminate his employment on giving notice to his employer of his intention to do so, so terminates his employment without the previous consent of his employer."

Amendment of section 7, Act XXIII of 1942.

3. To section 7 of the said Act the following sub-section shall be added, namely :—

"(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1904, an offence under this Act shall be cognizable."

Substitution of a new section for section 9, Act XXIII of 1942.

4. For section 9 of the said Act, the following section shall be substituted, namely :—

"9. Nothing contained in this Act or in any declaration or order made thereunder shall have effect in derogation of any provision of law for the time being in force imposing upon a person engaged in an employment or class of employment to which this Act applies any liability to be called up for national service or to undertake employment in the national service."

N. MADHAVA RAU,
Dewan.

Price Re. 0—0—3

Printed by the Superintendent at the Government Press, Bangalore

Final Note by the Minister for Law

Subject.—

Amendments to the Essential Services (Maintenance) Act.

These papers relate to amendments to the Essential Services (Maintenance) Act, 1942 (Act XXIII of 1942), promulgated in the State in July 1942.

On the lines of the Ordinance promulgated by the Government of India, the Essential Services (Maintenance) Act XXIII of 1942 was promulgated in Mysore also. The Government of India have now amended the said Ordinance by two later ordinances.

A Bill has been prepared for enacting such of the amendments as are considered necessary for clarifying and taking more effective measures under the Act. Clause (2) of the Bill adds two explanations to Section 5 of the Act -- (1) that the fact that a person apprehends that by continuing in his employment he exposed to danger is not a reasonable excuse for abandoning the employment or absenting himself from work, and (2) that even a person under an express or implied term of his contract which provides for termination of his employment on giving notice to his employer, cannot terminate his employment without the previous consent of his employer.

Clause (4) amends Section 9 of the Act so as to provide that the provisions of the Act, or any declaration or order thereunder, shall not affect the liability imposed by any provision of law to be called up for national service or to undertake employment in the national service.

Paras 20 & 22 to 25 of notes.

The Dewan and the other Ministers are agreeable to the proposal. I solicit the gracious sanction of His Highness to placing the general principles of the amending Bill before the ensuing session of the Representative Assembly.

Bangalore,)
1st October 1942.)

MINISTER FOR LAW.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law; on the subject of Amendments to the Essential Services (Maintenance) Act,

for His Highness' gracious approval.

K V Arunachalam
Dewan.
Hon & Rev Minister in charge
of the Current Duties of the
5.10.1942

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Amendments to the Essential Services (Maintenance) Act.

Order.

JRN.
8/10/'42

No.278

General and Revenue

Secretariat.

C 361

SUBJECT:—

Amendments to the Essential Services (Maintenance) Act.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules for the conduct of business of Council in the Mysore Government Business Rules.) (*)

15/10

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department.

3193/12.X.42 Minister for Finance and Revenue. 13.10

3136/12.X. Minister for Law. 11.10.42

1891/13.10 Minister for Education. 13.10.

3020/14/10 Minister for Local Self-Govt. and Public Health. 14.10.42

not taken up in Oct. 42

Law Secy wps

NOTE.—Contn. sheet

WD 06360—GPB—500—23-3-42

15/10

15-10-42

Final Note by the Minister for Revenue and Law.

Subject.— Promulgation of the Essential Services (Maintenance) Amendment Bill.

On the 8th of October 1942, the gracious approval of His Highness was accorded to the proposal to amend the Essential Services (Maintenance) Act, 1942.

The Essential Services (Maintenance) Amendment Bill could not be proceeded with during the session of the Representative Assembly held in October 1942 for want of time. The Bill was placed before the Assembly during its recent session and approved by that House. The Bill was thereafter introduced in the Legislative Council during its recent session and passed by it.

A copy of the Bill as passed in the Council and signed by the President under Standing Order 44 of the Mysore Legislative Council Standing Orders is submitted herewith.

The gracious sanction of His Highness is solicited to promulgate the Bill into law.

K. Anantaramaiah

Bangalore,
15th July 1943.

Minister,
Revenue and Law.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Revenue and Law on the subject of the promulgation into law of the Essential Services (Maintenance) Amendment Bill, for His Highness's gracious sanction.

N. M. Lewadan

Bangalore,
16th July 1943.

D E W A N.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Proposal to promulgate into law the Essential Services (Maintenance) Amendment Bill.

No.45

Order.

26/7/'43.

General and Revenue Secretariat.

74/M C108

SUBJECT:—

Proposal to promulgate into law the Essential Services (Maintenance) Amendment Bill.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Chief Secretary to Government.
29/7/43

Through the Secretary to Government,

Law .....Department.

Cus 30-7-63

619/2/8 Minister for Revenue and Law. 3.8.43

617/30/7 Minister for Public Works. 31.7.

889/31/7 Minister for Local Self-Govt. and Public Health. 30.7.63

Supplies.

529/31.7.43 Minister for Industries and ~~Commerce~~.

31/7

609/2/8 Minister for Education.

Lawrence 30.

NOTE.—Contn. sheet

ND 02718—GPB—500—21-4-43

MW2.V.

Cus 4-8-43

BKP 3/8/43

Pol 2989
2328/W

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

MEMORANDUM No. F.2-42/W.

Legis. 9/6

CHIEF SECRETARY, 9. JUN. 1942 GOVT. OF MYSORE.

Dated Bangalore, the 9 June *194* 2

The Essential Services (Maintenance)
Amendment Ordinance, 1942.

- - -

Attention is invited to the Essential Services (Maintenance) Amendment Ordinance, 1942, Ordinance No.XXVI of 1942, published in the Gazette of India, Extraordinary, dated the 28th May 1942.

for SECRETARY TO THE RESIDENT.

VN

ESSENTIAL SERVICES (MAINTENANCE) ACT, 1942.

- - - -

SECTION 5.

At present existing.

5. Any person engaged in any employment to which this Act applies who -

(a) disobeys any lawful order given to him in the course of such employment, or

(b) without reasonable excuse abandons such employment or absents himself from work, or

(c) departs from any area specified in an order under sub-section (1) of section 4 without the consent of the authority making that order,

and any employer of a person engaged in an employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies, who without reasonable cause-

(i) discontinues the employment of such person, or

(ii) by closing an establishment in which such person is engaged, causes the discontinuance of his employment, is guilty of an offence under this Act.

As amended.

5. Any person engaged in any employment to which this Act applies who -

(a) disobeys any lawful order given to him in the course of such employment, or

(b) without reasonable excuse abandons such employment or absents himself from work, or

(c) departs from any area specified in an order under sub-section (1) of section 4 without the consent of the authority making that order,

and any employer of a person engaged in an employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies, who without reasonable cause-

(i) discontinues the employment of such person, or

(ii) by closing an establishment in which such person is engaged, causes the discontinuance of his employment, is guilty of an offence under this Act.

Explanation 1 - The fact that a person apprehends that by continuing in his employment he will be exposed to increased physical danger is not a reasonable excuse within the meaning of clause (b).

Explanation 2 - A person abandons his employment within the meaning of clause (b) who, notwithstanding that i is an express or implied term of his contract of employment that he may terminate his employment on giving notice to his employer of his intention to do so, so terminates his employment without the previous consent of his employer.

Navi Bombay

ESSENTIAL SERVICES (MAINTENANCE) ACT, 1942.

- - -

SECTIONS 7. & 9.

At present existing.

7. (1) Any person found guilty of an offence under this Act shall be punishable with imprisonment for a term which may extend to one year and shall also be liable to fine.

(2) Where the person accused of an offence under this Act is a company or other body corporate, every director, manager, secretary or other officer thereof shall, unless he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of the offence, be liable to the punishment provided for the offence.

(3) No Court shall take cognizance of any offence under this Act, except upon complaint in writing made by the Govt. or by a person authorised in this behalf by the Govt.

As amended.

7. (1) Any person found guilty of an offence under this Act shall be punishable with imprisonment for a term which may extend to one year and shall also be liable to fine.

(2) Where the person accused of an offence under this Act is a company or other body corporate, every director, manager, secretary or other officer thereof shall, unless he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of the offence, be liable to the punishment provided for the offence.

(3) No Court shall take cognizance of any offence under this Act, except upon complaint in writing made by the Govt. or by a person authorised in this behalf by the Govt.

New addition

(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence under ~~the~~ this Act shall be cognizable.

9. Any declaration, order, rule or regulation made and any direction given under this Act shall have effect notwithstanding anything inconsistent therewith contained in any Act, Regulation, or Enactment.

9. Nothing contained in this Act, or in any declaration or order made thereunder shall have effect in derogation of any provision of law for the time being in force imposing upon a person engaged in an employment or class of employment to which this Act applies any liability to be called up for national service or to undertake employment in the national service.

THE ESSENTIAL SERVICES (MAINTENANCE) AMENDMENT BILL.

Statement of Principles.

The Essential Services (Maintenance) Act, 1942 passed in July this year makes provision for the maintenance of certain essential services on the lines of the corresponding British India Ordinance. This Ordinance has recently been amended twice, and it is considered desirable to incorporate the amendments in the Mysore Act as being necessary for clarifying and for taking more effective measures under the several provisions of the principal Act.

By the amendment proposed to section 5, certain expressions used therein are sought to be made clearer by the addition of two Explanations. Offences under this Act are made cognizable by another amendment now proposed. Finally, ~~the substituted~~ section 9 proposed in substitution of the existing section makes it clear that the provisions of the principal Act will not apply to a person or class of persons on whom any other law imposes a liability to be called up for national service or to undertake employment in the national service and who are therefore compelled to quit their original employment.

P.T.O.

THE ESSENTIAL SERVICES (MAINTENANCE) (AMENDMENT) BILL.

Whereas it is expedient to amend the Essential Services (Maintenance) Act, 1942 (XXIII of 1942), for the purposes hereinafter appearing;

It is hereby enacted as follows:--

1. (1) This Act may be called the Essential Services (Maintenance) Amendment Act, 194...

(2) It shall come into force at once.

2. To section 5 of the Essential Services (Maintenance) Act, 1942 (hereinafter referred to as the said Act) the following shall be added, namely:--

"Explanation 1.-- The fact that a person apprehends that by continuing in his employment he will be exposed to increased physical danger is not a reasonable excuse within the meaning of clause (b).

Explanation 2.-- A person abandons his employment within the meaning of clause (b) who, notwithstanding that it is an express or implied term of his contract of employment that he may terminate his employment on giving notice to his employer of his intention to do so, so terminates his employment without the previous consent of his employer."

3. To section 7 of the said Act the following sub-section shall be added, namely:--

"(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1904, an offence under this Act shall be cognizable."

4. For section 9 of the said Act, the following section shall be substituted, namely:--

"9. Nothing contained in this Act or in any declaration or ~~other~~ made thereunder shall have effect in derogation of any provision of law for the time being in force imposing upon a person engaged in an employment or class of employment to which this Act applies any liability to be called up for national service or to undertake employment in the national service."

6. THE ESSENTIAL SERVICES (MAINTENANCE) AMENDMENT BILL.

Statement of Principles.

The Essential Services (Maintenance) Act, 1942, passed in July last year makes provision for the maintenance of certain essential services on the lines of the corresponding British India Ordinance. This Ordinance has recently been amended twice, and it is considered desirable to incorporate the amendments in the Mysore Act as being necessary for clarifying, and for taking more effective measures under the several provisions of the principal Act.

By the amendment proposed to section 5, certain expressions used therein are sought to be made clearer by the addition of the two explanations. Offences under this Act are made cognizable by another amendment now proposed. Finally, section 9 now proposed in substitution of the existing section makes it clear that the provisions of the principal Act will not apply to a person or class of persons on whom any other law imposes a liability to be called up for national service or to undertake employment in the national service and who are therefore compelled to quit their original employment.

THE ESSENTIAL SERVICES (MAINTENANCE) AMENDMENT BILL.

WHEREAS it is expedient to amend the Essential Services (Maintenance) Act, 1942 (XXIII of 1942), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Essential Services (Maintenance) Amendment Act, 194

(2) It shall come into force at once.

Addition of Explanations to Act XXIII of 1942.

2. To section 5 of the Essential Services (Maintenance) Act, 1942 (hereinafter referred to as the said Act) the following shall be added, namely:—

"*Explanation* 1.—The fact that a person apprehends that by continuing in his employment he will be exposed to increased physical danger is not a reasonable excuse within the meaning of clause (b).

Explanation 2.—A person abandons his employment within the meaning of clause (b) who, notwithstanding that it is an express or implied term of his contract of employment that he may terminate his employment on giving notice to his employer of his intention to do so, so terminates his employment without the previous consent of his employer."

Amendment of section 7, Act XXIII of 1942.

3. To section 7 of the said Act the following subsection shall be added, namely:—

"(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1904, an offence under this Act shall be cognizable."

Substitution of a new section for section 9, Act XXIII of 1942.

4. For section 9 of the said Act, the following section shall be substituted, namely:—

"9. Nothing contained in this Act or in any declaration or order made thereunder shall have effect in derogation of any provision of law for the time being in force imposing upon a person engaged in an employment or class of employment to which this Act applies any liability to be called up for national service or to undertake employment in the national service."

Essential Services (amendment)

6. ಸೌಕರ್ಯಕಲ್ಪನೆಗೆ ಅತ್ಯಾವಶ್ಯಕವಾಗಿರುವ ಸಿಬ್ಬಂದಿಯ (ಕೆಲಸಗಳನ್ನು ನಡೆಯಿಸಿಕೊಂಡುಬರುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ) ತಿದ್ದುಪಡಿ ಮಸೂದಾ ಕಾನೂನಿನ ನಿಯಮಗಳ ವಿವರ.

ಸೌಕರ್ಯಕಲ್ಪನೆಗೆ ಅತ್ಯಾವಶ್ಯಕವಾದ ಸಿಬ್ಬಂದಿಗಳ (ಕೆಲಸ ನಡೆಯಿಸಿಕೊಂಡು ಬರುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ) 1942ನೆಯ ಇಸವಿಯ ಆಕ್ಟು ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಕಳೆದ ವರ್ಷ ಜುಲೈ ತಿಂಗಳಿನಲ್ಲಿ ಮಂಜೂರಾದುದು ಸರಿಯಷ್ಟೆ. ಈ ಆಕ್ಟಿನಲ್ಲಿ ಸೌಕರ್ಯಕಲ್ಪನೆಗೆ ಅತ್ಯಾವಶ್ಯಕವಾದ ಕೆಲವು ಸಿಬ್ಬಂದಿಗಳ ಕೆಲಸಗಳನ್ನು ನಡೆಯಿಸಿಕೊಂಡು ಬರುವುದಕ್ಕೆ ತಕ್ಕ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ. ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಇದೇ ವಿಚಾರದಲ್ಲಿ ಏರ್ಪಟ್ಟಿರುವ ಆರ್ಡಿನೆನ್ಸ್ ಮಾದರಿಯನ್ನನುಸರಿಸಿ ಆ ರೀತಿ ಮಾಡಲಾಯಿತು. ಆದರೆ ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆ ಆರ್ಡಿನೆನ್ಸು ಇತ್ತೀಚೆಗೆ ಎರಡುಸಲ ತಿದ್ದುಪಾಟಾಗಿದೆ. ಆ ತಿದ್ದುಪಡಿಗಳನ್ನು ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆಕ್ಟಿನಲ್ಲಿಯೂ ಸೇರಿಸಬೇಕಾದುದು ಆವಶ್ಯಕವೆಂದು ಭಾವಿಸಲಾಗಿದೆ. ಏಕೆಂದರೆ, ಈಗ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆ ಆಕ್ಟಿನ ಕೆಲವು ನಿಯಮಗಳು ಸ್ಪಷ್ಟವಾಗಿ ಅರ್ಥ ಕೊಡುವಂತೆ ಅವುಗಳನ್ನು ವಿಶದಪಡಿಸುವುದಕ್ಕಾಗಿಯೂ ಆ ತಿದ್ದುಪಡಿಗಳನ್ನು ಸೇರಿಸುವುದು ಆವಶ್ಯಕ; ಮತ್ತು ಈಗ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆ ಆಕ್ಟಿನ ನಾನಾ ನಿಯಮಗಳ ಮೇರೆಗೆ ಇನ್ನೂ ಹೆಚ್ಚು ಪರಿಣಾಮಕರವಾದ ರೀತಿಯಲ್ಲಿ ಕಾರ್ಯಕ್ರಮವನ್ನು ಕೈಕೊಳ್ಳುವಂತೆ ಮಾಡುವುದಕ್ಕಾಗಿಯೂ ಆ ತಿದ್ದುಪಡಿಗಳನ್ನು ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆಕ್ಟಿನಲ್ಲಿ ಸೇರಿಸುವುದು ಆವಶ್ಯಕ.

ಈಗ ಜಾರಿಯಲ್ಲಿರುವ ಆಕ್ಟಿನ 5ನೆಯ ಪ್ರಕರಣಕ್ಕೆ ಎರಡು ವಿವರಣೆಗಳನ್ನು ಸೇರಿಸಬೇಕೆಂದು ಉದ್ದೇಶಿಸಲಾಗಿದೆ. ಅದೇ ಆ ಪ್ರಕರಣದಲ್ಲಿ ಮಾಡಬೇಕೆಂದಿರುವ ತಿದ್ದುಪಡಿ. ಈ ತಿದ್ದುಪಡಿಯ ಆಶಯವು, ಆ ಪ್ರಕರಣದಲ್ಲಿ ಈಗ ಉಪಯೋಗಿಸಿರತಕ್ಕ ಕೆಲವು ಪದಗಳ ಅರ್ಥವು ಸ್ಪಷ್ಟವಾಗುವಂತೆ ಅದನ್ನು ವಿಶದಪಡಿಸುವುದು ಮಾತ್ರವೇ ಆಗಿದೆ. ಈಗ ಮಾಡಬೇಕೆಂದಿರುವ ಮತ್ತೊಂದು ತಿದ್ದುಪಡಿಯ, ಎಂದರೆ ಆಕ್ಟಿನ 7ನೆಯ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿಯ, ಉದ್ದೇಶವು ಆಕ್ಟಿನ ಮೇರೆಗೆ ಶಿಕ್ಷಾರ್ಹವಾದ ತಕ್ಸೀರುಗಳು ಅಂಥ ತಕ್ಸೀರು ಮಾಡಿದವರೆಂದು ಆಪಾದಿತರಾಗಿರತಕ್ಕವರನ್ನು ವಾರಂಟಿಲ್ಲದೆ ದಸ್ತಗಿರಿ ಮಾಡಿ ಹಿಡಿಯಬಹುದಾಗಿರತಕ್ಕ ತಕ್ಸೀರುಗಳಾಗಿ ಭಾವಿಸುವಂತೆ ಮಾಡುವುದಾಗಿದೆ. ಕೊನೆಯದಾಗಿ, ಆಕ್ಟಿನಲ್ಲಿ ಈಗಿರತಕ್ಕ 9ನೆಯ ಪ್ರಕರಣಕ್ಕೆ ಬದಲಾಗಿ ಬೇರೊಂದು ಪ್ರಕರಣವನ್ನು ಸೇರಿಸಬೇಕೆಂಬುದಾಗಿ ಉದ್ದೇಶಿಸಲಾಗಿದೆ. ಯಾವನೊಬ್ಬ ಆಸಾಮಿಯ ಅಥವಾ ಯಾವುದೊಂದು ತರಗತಿಯ ಆಸಾಮಿಗಳ ವಿಷಯದಲ್ಲಿ, ಅವರು ರಾಷ್ಟ್ರಸೇವೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಯಾವುದಾದರೂ ಕೆಲಸಕ್ಕೆ ಕರೆಯಲ್ಪಡಲು ಬದ್ಧರಾಗಿರತಕ್ಕುದೆಂದು ಅಥವಾ ರಾಷ್ಟ್ರಸೇವೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಒಂದು ನೌಕರಿಯನ್ನು ವಹಿಸಿಕೊಳ್ಳಲು ಬದ್ಧರಾಗಿರತಕ್ಕುದೆಂದು ಇತರ ಯಾವುದಾದರೂ ಕಾನೂನಿನ ಮೇರೆಗೆ ವಿಧಾಯಕವಾಗಿರಬಹುದು. ಆ ಕಾರಣದ ದೆಸೆಯಿಂದ ಅವರು ತಮ್ಮ ಮೊದಲಿನ ನೌಕರಿಯನ್ನು ಬಿಟ್ಟು ಹೋಗಲೇಬೇಕಾಗಿ ಬರಬಹುದು. ಅಂಥವರ ವಿಷಯದಲ್ಲಿ ಈ ಆಕ್ಟಿನ ನಿಯಮಗಳು ಅನ್ವಯಿಸತಕ್ಕುದಲ್ಲವೆಂಬ ಅಂಶವನ್ನು ಸ್ಪಷ್ಟವಾಗಿ ನಮೂದಿಸಬೇಕಾದುದು ಆವಶ್ಯಕ. ಹಾಗೆ ನಮೂದಿಸುವ ರೀತಿಯಲ್ಲಿ ಈಗ ಹೊಸದಾಗಿ ಸೇರಿಸಬೇಕೆಂದಿರತಕ್ಕ 9ನೆಯ ಪ್ರಕರಣವು ರಚಿತವಾಗಿದೆ.

ಸೌಕರ್ಯಕಲ್ಪನೆಗೆ ಅತ್ಯಾವಶ್ಯಕವಾದ ಸಿಬ್ಬಂದಿಗಳ (ಕೆಲಸ ನಡೆಯಿಸಿಕೊಂಡು ಬರುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ) ತಿದ್ದುಪಡಿ ಮಸೂದಾ ಕಾನೂನು.

1942ನೆಯ ಇಸವಿಯ XXIIIನೆಯ ನಂಬರಿನ ಆಕ್ಟಿನ ಸೌಕರ್ಯಕಲ್ಪನೆಗೆ ಅತ್ಯಾವಶ್ಯಕವಾದ ಸಿಬ್ಬಂದಿಗಳ (ಕೆಲಸ ನಡೆಯಿಸಿಕೊಂಡು ಬರುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ) ಆಕ್ಟನ್ನು ಈ ಮುಂದೆ ಕಂಡ ಉದ್ದೇಶಗಳಿಗಾಗಿ ತಿದ್ದುಪಾಟು ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ,

ಈ ಕೆಳಗೆ ಕಂಡಂತೆ ಈ ಮೂಲಕ ಕಾನೂನನ್ನು ವಿಧಾಯಕ ಮಾಡಲಾಗಿದೆ :—

ಚಿಕ್ಕ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.

1. (1) ಈ ಆಕ್ಟನ್ನು 1942 ನೆಯ ಇಸವಿಯ ಸೌಕರ್ಯಕಲ್ಪನೆಗೆ ಅತ್ಯಾವಶ್ಯಕವಾದ ಸಿಬ್ಬಂದಿಗಳ (ಕೆಲಸ ನಡೆಯಿಸಿಕೊಂಡು ಬರುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ) ತಿದ್ದುಪಡಿ ಆಕ್ಟು ಎಂದು ಕರೆಯಬಹುದು.

(2) ಅದು ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕುದು.

2. 1942ನೆಯ ಇಸವಿಯ ಸೌಕರ್ಯಕಲ್ಪನೆಗೆ ಅತ್ಯಾವಶ್ಯಕವಾದ ಸಿಬ್ಬಂದಿಗಳ (ಕೆಲಸ ನಡೆಯಿಸಿಕೊಂಡು ಬರುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ) ಆಕ್ಟಿನ (ಇನ್ನು ಮುಂದೆ ಈ ಆಕ್ಟನ್ನು ಸುಮ್ಮನೆ "ಆಕ್ಟು" ಎಂದು ಮಾತ್ರ ಪ್ರಸ್ತಾವಿಸಲಾಗುವುದು) 5ನೆಯ ಪ್ರಕರಣಕ್ಕೆ ಈ ಕೆಳಗೆ ಕಂಡ ವಿವರಣೆಗಳನ್ನು ಹೊಸದಾಗಿ ಸೇರಿಸತಕ್ಕದ್ದು. ಆ ವಿವರಣೆಗಳು ಯಾವುವೆಂದರೆ :—

1942ನೆಯ ಇಸವಿಯ XXIIIನೆಯ ನಂಬರಿನ ಆಕ್ಟಿನಲ್ಲಿ ಹೆಚ್ಚಿಗೆ ವಿವರಣೆಗಳನ್ನು ಸೇರಿಸುವುದು.

"1ನೆಯ ವಿವರಣೆ.—ತನ್ನ ನೌಕರಿಯಲ್ಲಿ ತಾನು ಇದ್ದುಕೊಂಡುಹೋಗುವುದರಿಂದ ತನ್ನ ದೇಹಕ್ಕೆ ಅಪಾಯವುಂಟಾಗಲು ಹೆಚ್ಚಿನ ಅವಕಾಶವಿರುವುದೆಂದು ಒಬ್ಬ ಆಸಾಮಿಯು ಶಂಕಿಸುತಾನೆಂಬ ಅಂಶವು (b) ಕ್ಲಾಜಿನ ಅರ್ಥದ ಮೇರೆಗೆ ಒಂದು ನ್ಯಾಯವಾದ ಕಾರಣವಾಗುವುದಿಲ್ಲ,

2ನೆಯ ವಿವರಣೆ.—ತನ್ನ ನೌಕರಿಯನ್ನು ಮುಕ್ತಾಯಗೊಳಿಸಬೇಕೆಂಬ ತನ್ನ ಇಂಗಿತವನ್ನು ಯಜಮಾನನಿಗೆ ನೋಟೀಸು ಮೂಲಕ ತಿಳಿಸಿದ ಮೇಲೆ ತನ್ನ ನೌಕರಿಯನ್ನು ಮುಕ್ತಾಯಗೊಳಿಸಬಹುದೆಂದು, ತಾನು ನೌಕರಿಗೆ ನೇಮಕಮಾಡಲ್ಪಟ್ಟುದರ ಒಪ್ಪಂದದಲ್ಲಿ ನಿರ್ದಿಷ್ಟವಾಗಿಯಾಗಲಿ ಅಥವಾ ಆ ರೀತಿ ಅರ್ಥ ಬರುವಂತೆಯಾಗಲಿ ಷರತ್ತು ನಮೂದಾಗಿದ್ದಾಗ್ಯೂ ಸಹ, ಒಬ್ಬ ಆಸಾಮಿಯು ಯಜಮಾನನ ಅನುಮತಿಯನ್ನು ಪೂರ್ವಭಾವಿಯಾಗಿ ಪಡೆಯದೆಯೇ ತನ್ನ ನೌಕರಿಯನ್ನು ಹಾಗೆ ಮುಕ್ತಾಯಗೊಳಿಸಿದ್ದಲ್ಲಿ ಕೂಡ ಅಂಥ ಆಸಾಮಿಯು (b) ಕ್ಲಾಜಿನಲ್ಲಿ ಅಡಕವಾಗಿರುವ ಅರ್ಥದ ಮೇರೆಗೆ ತನ್ನ ನೌಕರಿಯನ್ನು ತ್ಯಜಿಸಿದಂತೆಯೇ ಆಗುತ್ತದೆ."

3. ಆಕ್ಟಿನ 7ನೆಯ ಪ್ರಕರಣಕ್ಕೆ ಈ ಕೆಳಗೆ ನಮೂದಿಸಿರುವ ಒಳಪ್ರಕರಣವನ್ನು ಹೊಸದಾಗಿ ಸೇರಿಸತಕ್ಕದ್ದು. ಅದು ಯಾವುದೆಂದರೆ :—

1943ನೆಯ ಇಸವಿಯ XXIIIನೆಯ ನಂಬರಿನ ಆಕ್ಟಿನ 7ನೆಯ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ

"(4) 1904ನೆಯ ಇಸವಿಯ ಕ್ರಿಮಿನಲ್ ಪ್ರೊಸೀಜರ್ ಕೋಡಿನಲ್ಲಿ ಏನೇ ಅಡಕವಾಗಿದ್ದಾಗ್ಯೂ ಸಹ, ಈ ಆಕ್ಟಿನ ನಿಯಮಗಳಿಗೆ ಒಳಪಡತಕ್ಕ ಒಂದು ತಕ್ಸೀರು ಅದರ ಸಂಬಂಧದ ಆಪಾದಿತನನ್ನು ವಾರಂಟಿಲ್ಲದೆ ದಸ್ತಗಿರಿ ಮಾಡಿ ಹಿಡಿಯಬಹುದಾದ ಒಂದು ತಕ್ಸೀರಾಗಿರತಕ್ಕದ್ದು."

4. ಆಕ್ಟಿನ 9ನೆಯ ಪ್ರಕರಣಕ್ಕೆ ಬದಲಾಗಿ ಈ ಕೆಳಗೆ ನಮೂದಿಸಿರುವ ಪ್ರಕರಣವನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು: ಅದು ಯಾವುದೆಂದರೆ :—

1942ನೆಯ ಇಸವಿಯ XXIIIನೆಯ ನಂಬರಿನ ಆಕ್ಟಿನ 9ನೆಯ ಪ್ರಕರಣಕ್ಕೆ ಬದಲಾಗಿ ಒಂದು ಹೊಸ ಪ್ರಕರಣವನ್ನು ಸೇರಿಸುವುದು.

"9. ಈ ಆಕ್ಟಿನ ನಿಯಮಗಳು ಅನ್ವಯಿಸತಕ್ಕ ಬಂದು ಸರಕಾರ್ಯಲ್ಲಿ ಅಥವಾ ಸರಕಾರಿಯ ತರಗತಿಯಲ್ಲಿ ನೇಮಕವಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತಿರುವ ಒಬ್ಬ ಆಸಾಮಿಯು ರಾಷ್ಟ್ರಸೇವೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಕೆಲಸಕ್ಕೆ ಕರೆಯಲ್ಪಡಲು ಅಥವಾ ರಾಷ್ಟ್ರಸೇವೆಗೆ ಸಂಬಂಧಪಟ್ಟ ನೌಕರಿಯನ್ನು ಕೈಕೊಳ್ಳಲು ಅವನು ಬದ್ಧನಾಗಿರುವಂತೆ ವಿಧಾಯಕಮಾಡಿ ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರತಕ್ಕ ಯಾವುದಾದರೂ ಕಾನೂನಿನ ನಿಯಮಕ್ಕೆ ವ್ಯತಿರಿಕ್ತವಾಗಿ ಈ ಆಕ್ಟಿನಲ್ಲಾಗಲಿ ಅಥವಾ ಈ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಮಾಡಲ್ಪಟ್ಟ ಯಾವುದಾದರೂ ನಿರ್ಧಾರದ ಅಪ್ಪಣೆಯಲ್ಲಾಗಲಿ ಅಥವಾ ಹುಕುಮಿನಲ್ಲಾಗಲಿ ಅಡಗಿರತಕ್ಕ ಯಾವ ನಿಯಮವೂ ಜಾರಿಗೆ ಬರತಕ್ಕುದಲ್ಲ."

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PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Order No.RL 156 Legis/4-43-1

Dated, BANGALORE, 7th August 1943.

Ordered that the accompanying Essential Services (Maintenance) (Amendment) Act, 1943, which received the assent of His Highness the Maharaja on the 26th day of July 1943, be published as Act No.XXV of 1943 in the Mysore Gazette, for general information.

Secretary to Government.
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

Copy to the Translation Section.

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